

FCC MAIL SECTION



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**PUBLIC NOTICE**

**FEDERAL COMMUNICATIONS COMMISSION**  
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**DA 98-1399**

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON  
MISSOURI PETITION FOR PREEMPTION OF  
SECTION 392-410(7) OF THE REVISED STATUTES OF MISSOURI**

**CC DOCKET NO. 98-122**

**Released: July 14, 1998**

On July 8, 1998, The Missouri Municipal League; The Missouri Association of Municipal Utilities; City Utilities of Springfield; City of Columbia Water & Light; City of Sikeston Board of Utilities (Missouri Municipals) filed a petition for preemption urging the Commission to preempt under section 253(a) of the Communications Act of 1934, as amended section 392.410(7) of the Revised Statutes of Missouri.

Missouri Municipals states that the state statutory provision at issue "prohibits Missouri municipalities and municipal utilities from providing telecommunications infrastructure available to potential competitors of incumbent providers of telecommunications services."

**New Comment Filing Procedures**

Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **August 13, 1998**, and reply comments on or before **August 28, 1998**. For purposes of this proceeding, we hereby waive those provisions of our rules that require formal comments to be filed on paper, and encourage parties to file comments electronically. Electronically filed comments that conform to the guidelines of this section will be considered part of the record in this proceeding and accorded the same treatment as comments filed on paper pursuant to our rules.

Interested parties are encouraged to file for accuracy an original and 6 copies of their comments on the Missouri Municipals petition no later than **August 13, 1998**, with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554. An original and 12 copies of all reply comments should to be filed with the Secretary, FCC no later than **August 28, 1998**. **All pleadings are to reference CC Docket No. 98-122.** An additional copy of all pleadings must also be sent to Janice M. Myles, Common Carrier, Bureau, FCC, Room 544, 1919 M Street, N.W., Washington, D.C. 20554, and to the Commission's contractor for public service records duplication, **International Transcription Services, Inc. (ITS, Inc.), 1231 20th Street, N.W., Washington, DC 20036.** The Missouri Municipals petition is available for inspection and copying during normal business hours in the FCC's Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. Copies also can be obtained from ITS at 1231 20th Street, N.W., Washington, DC 20036, or by calling ITS at (202)-857-3891 or faxing ITS at 202-857-3805.

To file electronic comments in this proceeding, you may use the electronic filing interface available on the FCC's World Wide Web site at <http://dettifoss.fcc.gov:8080/cgi-bin/ws.exe/beta/ecfs/upload.hts>. Further information on the process of submitting comments electronically is available at that location and at <http://www.fcc.gov/e-file/>.

We will treat this proceeding as permit, but disclose for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1291-1.1216. Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. Interested parties are to file with the Commission Secretary, and serve Janice Myles and ITS, with copies of any written *ex parte* presentations or summaries of oral *ex parte* presentations in these proceedings in the manner specified above. We also require all written *ex parte* presentations or summaries of oral *ex parte* presentations in this proceeding to be served on all parties to the proceeding.

For further information, contact Janice M. Myles, Policy and Program Planning Division, Common Carrier Bureau, at (202) 418-1580.

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